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**IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**Patent Application**

**Inventor(s)** Frederick Murray Burg  
Lev Slutzman

**Case** 113571

**Conf. No.** 4560

**Serial No.** 09/428,363

**Group Art Unit** 2154

**Filing Date** October 27, 1999

**Examiner** K. S. Lin

**Title** Delivery of Call Queue Messages for Calls Launched from the Internet

**COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313-1450**

SIR:

**Remarks**

Reconsideration of rejected claims 1-4, 7-15 and 18-27 is respectfully requested.

In the Office action dated November 28, 2003 (application Paper No. 17), the Examiner issued a rejection of the above-cited claims under 35 USC 103(a) as being unpatentable over the combination of US Patent 6,493,447 (Goss) and Morganstein (of record).

In response, applicants assert that there is no teaching or suggestion of queuing calls waiting for a specific agent in the arrangement of Goss and, therefore, no opportunity to combine the queuing techniques of Morganstein with Goss to render

Mar 01 04 09:27p

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P.6

Burg 113571

obvious the subject matter of the rejected claims. In the rejection, the Examiner cited Goss at column 23, lines 42-45 as using a "timer in queue to determine whether the request will be rejected or not", with the suggestion that this teaching leads to the combination with Morganstein. Applicants cannot agree. The cited portion of Goss merely relates to a statement that if "call completion" to a selected agent does not occur within 90 seconds, the call will be dropped. Indeed, as stated in Goss at line 44, the system is described as sending "a message to the customer 42 saying that the call-back request cannot be processed at this time". The call, as defined at line 42 states, is "rejected". No queue is established or maintained. Therefore, a "call queue status message" is never intended for delivery in Goss.

Given this difference in teaching, applicants assert that the combination of Goss and Morganstein cannot be found to render obvious the subject matter of the present invention as defined by rejected claims 1-4, 7-15 and 18-27. Applicants therefore respectfully request the Examiner to reconsider this rejection and find the case to be in condition for allowance. If for some reason or other the Examiner does not agree that the case is ready to issue and that an interview or conversation would further the prosecution, the Examiner is invited to contact applicants' attorney at the telephone number listed below.

Respectfully submitted,

Frederick Murray Burg et al.

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Date: 3/1/04